

Kenneth S. Korea (CA State Bar No. 200060)
koreak@gtlaw.com

GREENBERG TRAURIG, LLP
1900 University Avenue, 5th Floor
East Palo Alto, CA 94304
Telephone: 650-289-8500
Facsimile: 650-328-8508

Richard D. Harris (*admitted pro hac vice*)
harrisr@gtlaw.com

Herbert H. Finn (*admitted pro hac vice*)
finnh@gtlaw.com

GREENBERG TRAURIG, LLP
77 West Wacker Drive
Suite 2500
Chicago, IL 60601
Telephone: 312-456-8400
Facsimile: 312-456-8435

Attorneys for Defendant
REARDEN COMMERCE, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

REARDEN LLC, et al.,
Plaintiffs,

v.

REARDEN COMMERCE, INC., et al.,
Defendants.

Case No. C 06-7367 MJJ

STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE

Pursuant to Civil Local Rules 7-12 and 16-10, Plaintiffs Rearden LLC, Rearden Productions, LLC, Rearden Studios, LLC, Rearden, Inc., Rearden Properties and Defendant Rearden Commerce, Inc. stipulate as follows and respectfully request that the Court enter the following Proposed Order:

1 WHEREAS the Case Management Conference in this matter is set for March 6, 2007 at
2 2:00 p.m.;

3 WHEREAS lead trial counsel for Defendant Rearden Commerce, Inc., Richard D. Harris
4 of Greenberg Traurig, LLP ("Greenberg Traurig"), is a resident in Chicago, Illinois;

5 WHEREAS Richard D. Harris, as lead trial counsel, is required under Local Rule to
6 appear at the Case Management Conference, however, Mr. Harris has a scheduling conflict
7 wherein he is preparing for and traveling in advance to Baton Rouge, Louisiana for a patent claim
8 construction hearing culminating on March 9, 2007;

9 WHEREAS, the travel required between San Francisco, New Orleans and Baton Rouge
10 simply does not permit lead trial counsel, Mr. Harris, to be in personal attendance at the Case
11 Management Conference on March 6th. Furthermore, in view of the Court's normal calendar for
12 holding such Case Management Conferences, namely only on Tuesdays, upcoming religious
13 holidays and counsel's prior commitments, the next earliest Tuesday on which Mr. Harris is
14 available is April 10, 2007;

15 WHEREAS counsel for Plaintiffs, Bingham McCutchen LLP, indicates its intent to appear
16 in person at the Case Management Conference;

17 WHEREAS Plaintiffs have agreed to continuing the Case Management Conference until
18 the next available date on or after April 10, 2007 so long as: 1) the Parties exchange Initial
19 Disclosures on February 27, 2007, as previously agreed by the parties and 2) the Rule 26(f)
20 Report and Case Management Statement will be submitted to the Court no later than seven (7)
21 days before the rescheduled Case Management Conference; and

22 WHEREAS, the Parties have agreed to, and this Court has Ordered, Court sponsored
23 mediation -- which mediation shall occur no later than May 15, 2007. Accordingly, should the
24 Court grant the requested extension, there should be no delay in the parties timely proceeding
25 with all aspects of the case including mediation.

1 IT IS HEREBY STIPULATED AND AGREED THAT, subject to Court approval, the
2 Case Management Conference currently scheduled for March 6, 2007 shall be continued until
3 May 8, 2007 at 2:00 pm.
4

5 Date: February 27, 2007

BINGHAM McCUTCHEN, LLP

7 /s/ Trenton H. Norris

8 Trenton H. Norris
9 Attorney for Plaintiffs
10 REARDEN LLC; REARDEN
11 PRODUCTIONS, LLC; REARDEN
12 STUDIOS, LLC; REARDEN, INC.; AND
13 REARDEN PROPERTIES

11 Date: February 27, 2007

GREENBERG TRAURIG, LLP

14 /s/ Kenneth S. Korea

15 Kenneth S. Korea
16 Attorney for Defendant
17 REARDEN COMMERCE, INC.

16 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

18 Date 03/01/07



MARTIN J. JENKINS

ATTESTATION CLAUSE

I, Kenneth S. Korea, am the ECF User whose ID and password are being used to file this Stipulation And [Proposed] Order Continuing Case Management Conference. In compliance with General Order 45, X.B., I hereby attest that Trenton H. Norris has concurred in this filing.

Date: February 27, 2007

GREENBERG TRAURIG LLP

By: /s/ Kenneth S. Korea

Kenneth S. Korea